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10/734,681

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EXAMINER

MORRISON, JAY A

ART UNIT

PAPER NUMBER

2168

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/734,681	Applicant(s) LEWIS ET AL.	
	Examiner Jay A. Morrison	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19-30, 33-42, 46 and 47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19-30, 33-42, 46 and 47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Remarks*

1. Claims 1-17,19-30,33-42,46-47 are pending.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Regarding claims 1-2,5-7,9-11,13-17,33-34,36,39,40-42,46-47, the phrase "operable" does not limit the scope of the claim because the limitations following the phrase are made optional or cite intended use by the language and are not required to be performed. See MPEP § 2106 Section II(C).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuhn et al. ('Kuhn' hereinafter) (Patent number 6,891,937) in view of Burgess (Publication Number 2001/0051890).

As per claim 1, Kuhn teaches

"A trouble ticket handling system, comprising:" (see abstract and background)

"login logic operable to log a user into a plurality of trouble ticket systems"

(column 11, lines 24-30);

"a monitoring device operable to poll the plurality of trouble ticket systems comprising a plurality of open trouble tickets" (column 4, lines 52-60);

"and user interface logic operable to enable the user to automatically load a proper trouble ticket from any of the plurality of open trouble tickets at the plurality of trouble ticket systems" (column 4, lines 52-60; column 5, lines 26-35)

Kuhn does not explicitly indicate "and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory files that are subject to being levied against the proper trouble ticket".

However, Burgess discloses “and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket” (assign associate to job to minimize penalties, page 8, solver code in middle of page).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kuhn and Burgess because using the steps of “and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket” would have given those skilled in the art the tools to improve the invention by better supporting the information technology infrastructure. This gives the user the advantage of more reliable technology.

As per claim 2, Kuhn teaches

“memory coupled to the login logic, the memory being operable to store at least one password associated with each of the plurality of trouble ticket systems, and to store and a username associated with the user” (column 11, lines 24-30).

As per claim 3, Kuhn teaches

“each of the plurality of trouble ticket systems is associated with a geographic region” (multiple service providers, column 4, lines 52-60).

As per claim 4, Kuhn teaches

“each of said at least one password is different and each of said at least one password is associated with one of the plurality of trouble ticket systems” (column 11, lines 24-30).

As per claim 5, Kuhn teaches

“the monitoring device is operable to poll the plurality of trouble ticket systems on a periodic basis” (column 4, line 60).

As per claim 6, Kuhn teaches

“the monitoring device is operable to poll the plurality of trouble ticket systems upon receiving an instruction from the user interface logic” (column 9, lines 42-57).

As per claim 7, Kuhn teaches

“the monitoring device is operable to retrieve information from each of the plurality of trouble ticket systems regarding a plurality of open trouble tickets associated with the user” (column 9, lines 42-57).

As per claim 8, Kuhn teaches

“the trouble tickets are associated with the user through a common language location identifier based on a center associated with the user” (column 9, lines 42-57).

As per claim 9, Kuhn teaches

“sorting logic operable to determine the proper trouble ticket to load to the user”  
(column 7, lines 1-8).

As per claim 13, Kuhn teaches

“the user interface logic is further operable to enable the user to manually load to a trouble ticket” (column 9, lines 42-57).

6. Claims 10-11,14-17,19-25,27-30,33-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuhn et al. (‘Kuhn’ hereinafter) (Patent number 6,891,937) in view of Burgess (Publication Number 2001/0051890) and further in view of Jones et al. (‘Jones’ hereinafter) (Patent Number 6,763,333).

As per claim 10,

Kuhn and Burgess do not explicitly indicate “the sorting logic is operable to sort a plurality of trouble tickets responsive to a common language location identifier, a tracking key, and a time stamp associated with each of the plurality of trouble tickets”

However, Jones discloses “the sorting logic is operable to sort a plurality of trouble tickets responsive to a common language location identifier, a tracking key, and a time stamp associated with each of the plurality of trouble tickets” (column 2, lines 15-34).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, and Jones because using the steps of “the sorting logic is operable to sort a

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plurality of trouble tickets responsive to a common language location identifier, a tracking key, and a time stamp associated with each of the plurality of trouble tickets” would have given those skilled in the art the tools to improve the invention by having automated components and techniques for handing trouble tickets. This gives the user the advantage of better monitoring of customer or subscriber generated trouble tickets.

As per claim 11,

Kuhn and Burgess do not explicitly indicate “the sorting logic is further operable to sort a plurality of trouble tickets responsive to a tracking key associated with each of the plurality of trouble tickets”.

However, Jones discloses “the sorting logic is further operable to sort a plurality of trouble tickets responsive to a tracking key associated with each of the plurality of trouble tickets” (column 10, lines 1-21).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, and Jones because using the steps of “the sorting logic is further operable to sort a plurality of trouble tickets responsive to a tracking key associated with each of the plurality of trouble tickets” would have given those skilled in the art the tools to improve the invention by having automated components and techniques for handing trouble tickets. This gives the user the advantage of better monitoring of customer or subscriber generated trouble tickets.

As per claim 14, Kuhn teaches



“the user interface logic is further operable to enable the user to enter a reason for manually loading the trouble ticket” (column 11, line 59 through column 12, line 4).

As per claim 15, Kuhn teaches

“the user interface logic is further operable to set an alarm when the user exceeds a threshold number of allowable manual load tickets” ( ).

As per claim 16, Kuhn teaches

“a reporting logic operable to report the alarm to a supervisor of the user” (column 2, lines 15-34).

As per claim 17, Kuhn teaches

“the proper trouble ticket is determined by a sorting logic which is operable to provide the user interface with an oldest maintenance ticket as determined by a tracking key associated with each of the plurality of trouble tickets” (column 10, lines 1-21).

As per claim 19, Kuhn teaches

“A method of assigning trouble tickets, comprising the steps of:” (see abstract and background)

“periodically polling a plurality of trouble ticket systems for at least one trouble ticket associated with a support center” (column 4, lines 52-60);

“receiving a request for a trouble ticket from a technician at the support center”  
(column 9, lines 41-57);

“and providing the technician with a proper trouble ticket from the plurality of ...  
trouble tickets” (column 9, lines 41-57).

Kuhn and Burgess do not explicitly indicate “sorting said at least one trouble  
ticket with a plurality of previously received trouble tickets; storing a plurality of sorted  
trouble tickets in a memory device; ... sorted trouble tickets”.

However, Jones discloses “sorting said at least one trouble ticket with a plurality  
of previously received trouble tickets; storing a plurality of sorted trouble tickets in a  
memory device; ... sorted trouble tickets” (column 2, lines 15-34).

It would have been obvious to one of ordinary skill in the art to combine Kuhn,  
Burgess, and Jones because using the steps of “sorting said at least one trouble ticket  
with a plurality of previously received trouble tickets; storing a plurality of sorted trouble  
tickets in a memory device; ... sorted trouble tickets” would have given those skilled in  
the art the tools to improve the invention by having automated components and  
techniques for handing trouble tickets. This gives the user the advantage of better  
monitoring of customer or subscriber generated trouble tickets.

Neither Kuhn nor Jones explicitly indicate “determination of the proper trouble  
ticket being based upon regulatory fines that are subject to being levied against the  
proper trouble ticket”.

However, Burgess disclose “determination of the proper trouble ticket being  
based upon regulatory fines that are subject to being levied against the proper trouble

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ticket" (assign associate to job to minimize penalties, page 8, solver code in middle of page).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kuhn, Jones and Burgess because using the steps of "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket" would have given those skilled in the art the tools to improve the invention by better supporting the information technology infrastructure. This gives the user the advantage of more reliable technology.

As per claim 20, Kuhn teaches

"storing at least one password for the technician associated with each of the plurality of trouble ticket systems in the memory device" (column 11, lines 24-30).

As per claim 21, Kuhn teaches

"logging the user into the plurality of trouble ticket systems with said at least one password" (column 11, lines 24-30).

As per claim 22, Kuhn teaches

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 4 and is similarly rejected.

As per claim 23, Kuhn teaches

“polling of the plurality of trouble ticket systems occurs upon receiving a request for a trouble ticket from a technician at the support center” (column 9, lines 42-57).

As per claim 24, Kuhn teaches

“the trouble tickets are associated with the support center through a common language location identifier associated with the support center” (column 9, lines 42-57).

As per claim 25,

Kuhn and Burgess do not explicitly indicate “sorting said at least one trouble ticket with a plurality of previously received trouble tickets comprises sorting trouble tickets in accordance with a tracking key, and a time stamp associated with each trouble ticket”.

However, Jones discloses “sorting said at least one trouble ticket with a plurality of previously received trouble tickets comprises sorting trouble tickets in accordance with a tracking key, and a time stamp associated with each trouble ticket” (column 10, lines 1-21).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, and Jones because using the steps of “sorting said at least one trouble ticket with a plurality of previously received trouble tickets comprises sorting trouble tickets in accordance with a tracking key, and a time stamp associated with each trouble ticket” would have given those skilled in the art the tools to improve the invention by having

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automated components and techniques for handing trouble tickets. This gives the user the advantage of better monitoring of customer or subscriber generated trouble tickets.

As per claim 27, Kuhn teaches

"the steps of: receiving a request from the technician to manually load a trouble ticket" (column 9, lines 42-57);

"and assigning the trouble ticket to the technician responsive to the request to manually load the trouble ticket" (column 9, lines 41-57; column 11, line 59 through column 12, line 4).

As per claim 28, Kuhn teaches

"receiving a reason from the technician for manually loading the trouble ticket" (column 11, line 59 through column 12, line 4).

As per claim 29, Kuhn teaches

"causing an alarm when the technician exceeds a threshold number of allowable manual load tickets" (column 2, lines 15-34).

As per claim 30, Kuhn teaches

"reporting the alarm to a supervisor of the technician" (column 2, lines 48-56).

As per claim 33, Kuhn teaches

"A computer readable medium having a program for assigning a trouble ticket to a responsible technician, the program operable to perform the steps of" (see abstract and background)

"periodically polling a plurality of trouble ticket systems for at least one trouble ticket associated with a support center" (column 4, lines 52-60);

"receiving a request for a trouble ticket from a technician at the support center" (column 9, lines 41-57);

"and assigning the technician to a proper trouble ticket from the plurality of ... trouble tickets" (column 9, lines 41-57; column 11, line 59 through column 12, line 4).

Kuhn and Burgess do not explicitly indicate "sorting said at least one trouble ticket with a plurality of previously received trouble tickets responsive to a tracking key and time stamp included with each of the trouble tickets', storing a plurality of sorted trouble tickets in a memory device; ... sorted".

However, Jones discloses "sorting said at least one trouble ticket with a plurality of previously received trouble tickets responsive to a tracking key and time stamp included with each of the trouble tickets', storing a plurality of sorted trouble tickets in a memory device', ... sorted" (column 2, lines 15-34).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, and Jones because using the steps of "sorting said at least one trouble ticket with a plurality of previously received trouble tickets', storing a plurality of sorted trouble tickets in a memory device', ... sorted trouble tickets" would have given those skilled in the art the tools to improve the invention by having automated components and

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techniques for handing trouble tickets. This gives the user the advantage of better monitoring of customer or subscriber generated trouble tickets.

Neither Kuhn nor Jones explicitly indicate "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket"

However, Burgess discloses "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket" (assign associate to job to minimize penalties, page 8, solver code in middle of page).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kuhn, Jones and Burgess because using the steps of "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket" would have given those skilled in the art the tools to improve the invention by better supporting the information technology infrastructure. This gives the user the advantage of more reliable technology.

As per claim 34,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 20 and is similarly rejected.

As per claims 35-37,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 22-24 and are similarly rejected.

As per claims 38-42,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 26-30 and are similarly rejected.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuhn et al. ('Kuhn' hereinafter) (Patent number 6,891,937) in view of Burgess (Publication Number 2001/0051890) and further in view of Doherty et al. ('Doherty' hereinafter) (Patent Number 6,735,293).

As per claim 12,

Kuhn and Burgess do not explicitly indicate "the user interface logic inhibits the user from choosing a trouble ticket to work on based on a perceived level of difficulty associated with the chosen trouble ticket".

However, Doherty discloses "the user interface logic inhibits the user from choosing a trouble ticket to work on based on a perceived level of difficulty associated with the chosen trouble ticket" (appropriate skill level, column 9, lines 45-56).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, and Doherty because using the steps of "the user interface logic inhibits the user from choosing a trouble ticket to work on based on a perceived level of difficulty



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associated with the chosen trouble ticket” would have given those skilled in the art the tools to improve the invention by facilitating telecommunications service provisioning and service assurance. This gives the user the advantage of reducing start-up costs and ensuring customer satisfaction.

8. Claims 26,46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuhn et al. (‘Kuhn’ hereinafter) (Patent number 6,891,937) in view of Burgess (Publication Number 2001/0051890) and further in view of Jones et al. (‘Jones’ hereinafter) (Patent Number 6,763,333) and further in view of Doherty et al. (‘Doherty’ hereinafter) (Patent Number 6,735,293).

As per claim 26,

Kuhn, Burgess, and Jones do not explicitly indicate “the user interface logic inhibits the user from choosing a trouble ticket to work on based on a perceived level of difficulty associated with the chosen trouble ticket”.

However, Doherty discloses “the user interface logic inhibits the user from choosing a trouble ticket to work on based on a perceived level of difficulty associated with the chosen trouble ticket” (appropriate skill level, column 9, lines 45-56).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, Doherty, and Jones because using the steps of “the user interface logic inhibits the user from choosing a trouble ticket to work on based on a perceived level of

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difficulty associated with the chosen trouble ticket” would have given those skilled in the art the tools to improve the invention by facilitating telecommunications service provisioning and service assurance. This gives the user the advantage of reducing start-up costs and ensuring customer satisfaction.

As per claim 46,

Kuhn, Burgess, and Jones do not explicitly indicate “tracking a plurality of work schedules associated with a plurality of technicians”.

However, Doherty discloses “tracking a plurality of work schedules associated with a plurality of technicians” (column 9, lines 1-9).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, Doherty, and Jones because using the steps of “tracking a plurality of work schedules associated with a plurality of technicians” would have given those skilled in the art the tools to improve the invention by facilitating telecommunications service provisioning and service assurance. This gives the user the advantage of reducing start-up costs and ensuring customer satisfaction.

As per claim 47,

Kuhn, Burgess, and Jones do not explicitly indicate “assigning the trouble ticket responsive to a work schedule among the plurality of work schedules, associated with the technician”.

However, Doherty discloses "assigning the trouble ticket responsive to a work schedule among the plurality of work schedules, associated with the technician" (column 9, lines 1-9).

It would have been obvious to one of ordinary skill in the art to combine Kuhn, Burgess, Doherty, and Jones because using the steps of "assigning the trouble ticket responsive to a work schedule among the plurality of work schedules, associated with the technician" would have given those skilled in the art the tools to improve the invention by facilitating telecommunications service provisioning and service assurance. This gives the user the advantage of reducing start-up costs and ensuring customer satisfaction.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-17, 19-30, 33-42, 46-47 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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